

# THE DAILY COMMONWEALTH.

VOL. 11.

FRANKFORT, KENTUCKY, SEPTEMBER 17, 1861.

NO. 40.

THE TRI-WEEKLY COMMONWEALTH  
Will be published every Monday, Wednesday and Friday, by  
A. G. HODGES & COMPANY,  
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in advance.

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patrons a journal which shall be unequalled in any  
of the departments which comprise a first class  
newspaper.

Published at the Capital of the State, it will be  
enabled to furnish its readers with the latest in-  
telligence of the actions of the higher courts and  
of the various departments of the State. It will  
also contain the latest telegraphic news of stir-  
ring events, and also of the New York, Cincin-  
nati, Louisville and New Orleans markets.

In politics the Commonwealth will be conserva-  
tive, occupying a middle and antagonistic ground  
in reference to the two extremes. The old parties  
broken up, and old issues virtually dead, the vital  
question at present is Union or disunion. The  
Commonwealth is for the Union, believing it to be  
the greatest safeguard for our rights, as well as  
our most effective auxiliary in our efforts to obtain  
redress for our wrongs. Its conductors do not re-  
gard disunion as a remedy for any of the wrongs  
of the South, but rather an aggravation. It will  
contend for the equality of the States in the  
Union, and for the absolute non-interference by  
Congress with the domestic affairs of the States  
and Territories.

We shall aim to make the Commonwealth an ac-  
ceptable and appropriate fireside companion. It  
will contain selections from the choicest literature  
of the day, prose, poetry, &c.

The WEEKLY will be printed on extra double  
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We are prepared to execute all kinds of

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WILL practice law in the United States, Circuit and District Courts held at Frankfort, and the Court of Appeals of Kentucky. Business referred to them will receive prompt attention.

Address THOS. B. MONROE, Secretary of State, Frankfort, or CLAY & MONROE, office Short street, Lexington.

THOS. B. MONROE, JR.

Has been engaged to attend to the unfinished professional business of the late Hon. Ben. Monroe, Communications addressed to him at Frankfort will receive prompt attention.

Address THOS. B. MONROE, Secretary of State, Frankfort, or CLAY & MONROE, office Short street, Lexington.

JAMES SIMPSON.....JOHN L. SCOTT.

### SIMPSON & SCOTT,

Attorneys and Counselors at Law.

FRANKFORT, KY.

Office adjoining Yeoman Building.—The same heretofore occupied by John L. Scott.

JUDGE JAMES SIMPSON, AND JOHN L. SCOTT will hereafter practice law in partnership in the Court of Appeals and Federal Court at Frankfort. Judge Simpson would respectfully refer to all persons who have known him, either at the Bar or as Circuit Judge in early life, or more recently as Judge of the Court of Appeals of Kentucky. John L. Scott would refer to the persons herefore referred to him in his published career.

All business in the Court of Appeals and Federal Court referred to this firm will receive faithful and prompt attention.

Mr. Scott resides in Frankfort, and may be found at all times at his office adjoining the Yeoman Printing Office.

—JAMES R. KEENE.

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[Aug. 29, 1860-1.]

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Attorney and Counsellor at Law.

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stones and Upper streets.

May 23, 1860-1.

LYSANDER HORD,

ATTORNEY AT LAW,

FRANKFORT, KY.

PRACTICES Law in the Court of Appeals, Federal Court, and Franklin Circuit Court.

Any business referred to him shall be faithfully and promptly attended to. His office is on St. Clair street, near the Branch Bank of Kentucky, where he may generally be found.

Frankfort, Jan. 12, 1859-1.

CHARLES F. CRADDOCK.

CRADDOCK & CRADDOCK,

ATTORNEYS AT LAW,

FRANKFORT, KY.

OFFICE on St. Clair street, next door south of the Branch Bank of Kentucky.

Will practice law in copartnership in all the Courts held in the city of Frankfort, and in the Circuit Courts of the adjoining counties

Jan. 5, 1859-1.

CHARLES F. CRADDOCK.

CRADDOCK & CRADDOCK,

ATTORNEYS AT LAW,

FRANKFORT, KY.

OFFICE—West Side Scott St. bet. Third & Fourth Street.

COVINGTON, KENTUCKY.

February 22, 1860-1.

T. N. & D. W. LINDSEY,

ATTORNEYS AT LAW,

FRANKFORT, KENTUCKY,

PRACTICES Law in all the Courts held in

Frankfort, and the adjoining counties.

Office up stairs in the Gallatin Sun Office.

May 6, 1857-1.

J. H. KINKEAD.

ATTORNEY & COUNSELLOR AT LAW,

GALLATIN, MO.

PRACTICES in the Circuit and other Courts of

Davies, and the Circuit Courts of the ad-

jacenting counties.

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operate with far less pain to the patient void of

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will show for itself. Calls will be thankfully re-  
ceived.

Office at his residence on Main street.

Frankfort, May 27, 1853.

JOHN RODMAN,

ATTORNEY AT LAW,

FRANKFORT, KY.

PRACTICES in all the Courts held in Frank-  
fort, and in Oldham, Henry, Trimble and Owen  
counties. Office on St. Clair street, near the  
Court House.

[Oct. 28, 1853.]

THE GENERAL ACTS OF SESSION 1855-6,  
Pamphlet form. Price 1 00

LOUGHBOROUGH'S DIGEST OF THE STAT-  
UTES,  
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BOOK AND JOB PRINTING.

We are prepared to execute all kinds of

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as low as any office will do similar work.

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BLANKS.

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kinds of foreign and domestic Liquors.

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FRANKFORT, KENTUCKY.

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Whisky—now better.

Cigars.

Just received, a supply of these celebrated  
"Guges" and "Companys."

# THE COMMONWEALTH.

## KENTUCKY LEGISLATURE.

IN SENATE.

MONDAY, Sept. 16, 1861.

The Senate was opened with prayer by Rev. Wm. McD. ABBETT, of the Methodist Church.

The journal of Saturday was read by the Clerk.

### A MESSAGE FROM THE H. R.

Was received by Mr. LYNE, Assistant Clerk, announcing the passage of several bills which originated in that House.

### A QUESTION OF PRIVILEGES.

Mr. JOHNSON arose to a question of privileges, stating what he had done as a member of a committee to visit Southern Kentucky, and said he was ready, if the Senate wished it, to make a formal report, as the resolution had been repealed, under which he was appointed. He had visited the camp of Gen. Polk, and had some correspondence with him.

Mr. SPEED objected to any report, and made some remarks expressing his disapprobation of the course of Mr. JOHNSON in visiting the camp of Gen. Polk.

### A MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor, by Mr. T. B. MONROE, Jr., Secretary of State, viz:

COMMONWEALTH OF KENTUCKY,  
EXECUTIVE DEPARTMENT,  
September 16, 1861.

Gentlemen of the Senate:

Three resolutions, adopted by your body, asking information have been presented to me.

In response to that inquiry whether, in my opinion, the State arsenal requires protection, &c., I have to say that the Military Board have detailed for the protection of the arsenal all the force deemed to be requisite. I enclose a copy of a resolution of the Board on that subject. Recently the number of the guard has been reduced to ten. I have no reason to apprehend an attack on the arsenal.

All the information in my possession touching the removal of arms of the State west of Tennessee river, will be found in the report of the Military Board, which has already been laid on my table. A copy of the same is herewith transmitted.

That report will also exhibit all the information I have, nsed by the 3d resolution of the date of the 3d inst., except the number and location of the active and reserved militia, number of field officers of the active and enrolled militia, which will be furnished as soon as the Quarter-master General can supply the facts.

B. MAGOFFIN.

### REPORT OF A COMMITTEE.

Mr. IRVAN—Select committee—A bill to amend the charter of the town of Cadiz, in Trigg county: passed.

### LEAVE TO BRING IN A BILL.

Was granted, and appropriately referred, viz:

Mr. CHILES—A bill to amend the charter of the town of Mount Sterling.

### RESOLUTIONS.

Mr. SPEED offered the following resolution, viz:

1. Resolved by the Senate, That a committee be appointed to inquire whether Mr. John M. Johnson, Senator from McCracken, has since the assembling of this body visited the camp of the forces that have invaded this State.

2. By what authority, and for what purpose,

3. Whether any member of this body, hold any communication or correspondence with those in command of said forces.

4. If such visit was paid by him, any and all the facts connected therewith. Said committee shall have power to send for persons and papers. Said committee are directed to report the facts, and what action should be had thereon.

Mr. GLENN moved to amend the 3d resolution by adding "and if so, they report said correspondence" accepted.

Some discussion arose in which Messrs. READ, GLENN, CHAMBERS and PRALL opposed the resolutions.

Messrs. SPEED and ALEXANDER urged the passage of the resolutions.

Mr. ALEXANDER said:

Mr. SPEAKER: I shall favor the passage of the resolutions, and the investigation therein contemplated, in order that the Senate may be put in possession of all the facts. We can then more advantageously and fully in the premises. This investigation is due to the Senator from McCracken.

Not that I charge him with doing anything improper in this matter, but I see from the public prints that he went into the enemy's camp at Columbus, and claimed to be a claimant to the office whose function had been revoked, he holds and puts in circulation an unauthorized correspondence with a rebel chief. That Senator

will see that he very greatly transcended his authority in holding the correspondence aforesaid, and certainly in asking the withdrawal of the troops at Columbus. He and his fellow-committeemen were sent to gather facts, not to correspond with military commanders, or to ask the withdrawal of troops. This Senate would not claim that power even to itself much less would the Senate delegate that authority to a committee or a single member thereof. The action of the Senator from McCracken was wholly unauthorized, even under the commission under which he claimed to act. We are told by the Senator that a "flag of truce" was tendered him by the Commanding General of the Confederate forces at Columbus to go to his home at Paducah. Has it come to this, that Kentuckians sent on the business of this Legislature, have to ask or not willing to seek protection under the enemy's flag? For one, sir, I want to resent this insult. I want to say to the rebel chief at Columbus that he must and shall have our soil. If he is willing to go peacefully all well, but if not, for the sake of favor of appealing to the chivalry of our beloved Kentucky, and compel him to go. The Legislature has said that he should go "unconditionally," and we should execute that edict, if needs be, at the cannon's mouth. I want all these facts put in some tangible shape, in order that we may speak out on these important questions. Great principles are involved; the honor of the State and the standing of Kentuckians are involved in the determination of these important principles, and I shall therefore vote for the fullest investigation.

Mr. JOHNSON made some explanatory remarks in reply to Mr. ALEXANDER.

Mr. PENNEBAKER moved the previous question, which was ordered.

The resolutions, as amended, were then adopted by yeas 25, nays 9.

The SPEAKER appointed the following committee, viz:

Mr. WEBSTER, M. P. MARSHALL and GLENN, to act under the resolutions.

### SPECIAL ORDER FOR 10<sup>1</sup>/<sub>2</sub> O'CLOCK.

A bill to provide for the security of the arms of the State and the protection of the railroads, was read a second time.

Mr. IRVAN offered an amendment: rejected.

Mr. CISSELL offered an amendment as a proviso to the 1st section in effect, "that the hill shall not apply to any company of the State Guard, unless the company is entirely disbanded."

Mr. SPEED opposed the amendment.

Mr. CISSELL replied and advocated it, and opposed the bill unless so amended.

Mr. T. F. MARSHALL replied to Mr. CISSELL and advocated the bill.

Mr. PENNEBAKER also replied to Mr. CISSELL, and showed that the same power was heretofore in the Inspector General: he sheriff of Livingston county.

favored the bill, and opposed the amendment. Mr. WORTHINGTON opposed the amendment, and advocated the bill.

Mr. SPEED replied to Mr. CISSELL, and again opposed the amendment and advocated the bill.

Mr. CISSELL replied to Messrs. WORTHINGTON, MARSHALL and SPEED, and the adoption of his amendment at considerable length.

Mr. MARSHALL replied to Mr. CISSELL, and opposed the amendment, and favored the bill at considerable length.

The amendment was then rejected by yeas 10, nays 22.

Mr. GRÖVER offered an amendment to strike out the 4th section of the bill. The section is as follows:

§ 4. Said board is authorized to provide for the protection and security of all the property of the State mentioned in this act and the railroads in this State, and to that end may employ a police force, at the cost of the State, that may, in the discretion of the board, be sufficient for the purpose.

Mr. GROVER addressed the Senate at length in opposition to the bill, and in support of his amendment.

Mr. GOODLOE replied briefly to Mr. GROVER. He opposed the amendment and favored the bill.

The amendment was then rejected by yeas 11, nays 19.

Mr. CHAMBERS offered an amendment by striking out the penalty of "not less than \$1,000," so as to leave the minimum fine to the discretion of a jury: adopted by yeas 17, nays 15.

Mr. KEEA offered an amendment to add a section to the bill, "That no order of the board shall take effect, unless adopted by four-fifths of the board."

Mr. RHEA advocated the amendment briefly.

Mr. GOODLOE replied, and opposed the amendment.

The amendment was rejected by yeas 10, nays 23.

Mr. ALEXANDER moved a reconsideration of the vote adopting the amendment of Mr. CHAMBERS: reconsidered by yeas 20, nays 13.

The said amendment was then rejected by yeas 13, nays 19.

Mr. IRVAN offered an amendment to change the time allowed for the return of arms from 48 hours to one week: rejected.

Mr. PENNEBAKER moved an amendment by adding to railroads to be protected, "also the locks and dams": adopted.

Mr. PRALL moved an amendment fixing the minimum penalty of fine at \$100 instead of \$1,000 as fixed by the bill: adopted.

Mr. GOODLOE moved to amend the bill by adding a section to the bill: "That the sheriffs, constables, jailers, marshals of towns, and police officers of the State shall obey the orders of the Board, in relation to the property mentioned in this bill under a penalty of not less than \$50 nor more than \$200": adopted.

The bill as amended was then ordered to a third reading.

Mr. ALEXANDER moved that the third reading of the bill be dispensed with: negatively by yeas 23, nays 10, requiring four-fifths to dispense.

The bill was then ordered to be read a third time to-morrow at 10<sup>1</sup>/<sub>2</sub> o'clock.

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will see that he very greatly transcended his authority in holding the correspondence aforesaid, and certainly in asking the withdrawal of the troops at Columbus. He and his fellow-committeemen were sent to gather facts, not to correspond with military commanders, or to ask the withdrawal of troops. This Senate would not claim that power even to itself much less would the Senate delegate that authority to a committee or a single member thereof. The action of the Senator from McCracken was wholly unauthorized, even under the commission under which he claimed to act. We are told by the Senator that a "flag of truce" was tendered him by the Commanding General of the Confederate forces at Columbus to go to his home at Paducah. Has it come to this, that Kentuckians sent on the business of this Legislature, have to ask or not willing to seek protection under the enemy's flag? For one, sir, I want to resent this insult. I want to say to the rebel chief at Columbus that he must and shall have our soil. If he is willing to go peacefully all well, but if not, for the sake of favor of appealing to the chivalry of our beloved Kentucky, and compel him to go. The Legislature has said that he should go "unconditionally," and we should execute that edict, if needs be, at the cannon's mouth. I want all these facts put in some tangible shape, in order that we may speak out on these important questions. Great principles are involved; the honor of the State and the standing of Kentuckians are involved in the determination of these important principles, and I shall therefore vote for the fullest investigation.

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Mr. CISSELL replied and advocated it, and opposed the bill unless so amended.

Mr. T. F. MARSHALL replied to Mr. CISSELL and advocated the bill.

Mr. PENNEBAKER also replied to Mr. CISSELL, and showed that the same power was heretofore in the Inspector General: he sheriff of Livingston county.

Same—A bill for the benefit of M. Lyon, late sheriff of Lyon county.

Mr. WOLFE—A bill to incorporate the Bell Insurance Company, of Louisville.

Same—A bill for the benefit of Ann and Eliza Gerhart, of Louisville.

Same—A bill for the benefit of Rosanna Jessell, of Louisville.

Same—A bill to amend the law organizing the Military Board.

Mr. J. R. THOMAS—A bill to amend the law suspending circuit courts in this State.

Mr. TAYLOR—A bill providing means for defraying the current expenses of the State government.

### SPECIAL ORDER.

The House resumed the consideration of the report of Mr. WOLFE, from the Committee on Federal Relations, upon the resolutions offered by Mr. EWING. [Said report was published in the Commonwealth of Friday last.]

### MESSAGE OF THE GOVERNOR.

A message was received from the Governor, by Mr. Monroe, Secretary of State, transmitting a telegraphic dispatch from Gen. Zollicoffer, which is as follows.

XNOVIEILLE, TENN., Sept. 14th.

To His Excellency, B. MAGOFFIN:

St. Louis, Tenn., Sept. 14th, 1861.

Sir: The safety of Tennessee requiring, I occupy the mountain passes at Cumberland, and the three long mountains in Kentucky. For weeks I have known that the Federal Commander at Hoskin's Cross Roads was threatening the invasion of East Tennessee, and ruthlessly urging our people to destroy their own road and bridge. I postponed this precautionary until the despotic government at Washington, refusing to recognize the neutrality of Kentucky, has established formidable camps in the centre and other parts of the State, with the view—first, to subjugate our gallant State, and then ourselves. Tennessee feels, and has ever felt, towards Kentucky as a twin-sister; their people are as one people in kindred sympathy, valor, and patriotism: we have felt, and still feel a religious respect for Kentucky's neutrality; we will respect it as long as our safety will permit; if the Federal forces will now withdraw from their menacing position, the force under my command shall immediately be withdrawn.

Very respectfully,

F. K. ZOLLCOFFER,  
Brig. Gen. Commanding.

Also, a telegraphic dispatch from Thos. C. Reynolds, Lieut. Governor of Missouri, which is as follows:

# THE COMMONWEALTH.

## FRANKFORT.

J. H. JOHNSON, Editor.

TUESDAY, SEPTEMBER 17, 1861.

Office of Clerk of the Senate.

The Clerk of the Senate would inform the members of the Legislature and all other persons having official business with him, that his office is in the 2d story of the Commonwealth Office building, where he may be found, except when the Senate is in session, or he is otherwise necessarily absent.

believed justified the step, but that, in the particulars specified, it has not your approbation, and will not be enforced in derogation of law. The magnitude of the interests at stake, and my extreme desire, that by no misapprehension of your sentiments or purposes, shall the power and fervor of the loyalty of Kentucky be at this moment abated or chilled, must be my apology for the frankness with which I have addressed you, and for the request I venture to make, of an expression of your views upon the points of General Fremont's proclamation on which I have commented.

I have the honor to be

Very respectfully,

Your obedient servant,

H. H. HOLT.

His Excellency, ABRAHAM LINCOLN; President of the United States.

LETTER FROM THE PRESIDENT TO GENERAL FREMONT.

WASHINGTON, D. C., Sept. 11th, 1861.

Major-General John C. Fremont:

Sir—Yours of the 8th, in answer to mine of the 2nd, instant, is just received. Assuming you, upon the ground, could better judge of the necessities of your position than I could, at this distance, on seeing your proclamation of August 30th, I perceived no general objections to it. The particular change, however, in relation to the confiscation of property and the liberation of slaves, appeared to me to be objectionable in its non-conformity to the act of Congress passed the 6th or last August upon the same subjects, and hence I wrote you expressing my wish that that clause should be modified accordingly. Your answer, just received, expresses the preference on your part that I should make an open order for the modification, which I very gladly do.

It is therefore ordered that the said clause of said proclamation, be so modified, held, and construed, as to conform to and not transcend the provisions on the same subject contained in the act of Congress, entitled, "An act to confiscate property used for insurrectionary purposes," approved August, 6, 1861, and that said act be published at length, with this order.

Your obedient servant,

A. LINCOLN.

LETTER FROM THE PRESIDENT TO HON. JOSEPH HOLT.

EXECUTIVE MANSION, Sept. 12, 1861.

Hon. Joseph Holt:

Dear Sir: Yours of this day, in relation to the late proclamation of Gen. Fremont, is received. Yesterday I addressed a letter, by mail, on the same subject, and which is intended to be made public when he receives it. I herewith send you a copy of that letter, which perhaps shows my position as distinctly as any new one I could write. I will thank you not to make it public until Gen. Fremont shall have had time to receive the original.

Your obedient servant,

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Your obedient servant,

A. LINCOLN.

ANOTHER INVASION.—It will be seen by reference to our legislative proceedings that Gen. Zollicoffer discovered a "military necessity" on this side of the state line, and has stepped over and taken possession of it. He then very placently sits down and reports his exploit to our Governor. Look at the excuse he gives for his invasion. Kentuckians have established a camp on their own lands, with no earthly object than that of self defense. Tennessee had camps long before camp Dick Robinson was thought of. Yet no one in Kentucky thought of invading Tennessee on this account. This is carrying neutrality a little too far. If we are not much mistaken, General Zollicoffer will discover another military necessity one of these fine mornings, which will be located on the other side of the State line.

### Proclamation by the Governor.

In obedience to the subjoined joint resolution adopted by the General Assembly of the Commonwealth of Kentucky, the Government of the Confederate States, the State of Tennessee, and all others concerned, are hereby informed that "Kentucky expects the Confederate or Tennessee troops to be withdrawn from her soil unconditionally."

### IN TESTIMONY WHEREOF,

I have hereunto set my name  
(L. S.) and caused the seal of the Commonwealth to be affixed. Done at Frankfort, this 13th day of September, A. D. 1861, and in the 70th year of the Commonwealth.

### By the Governor:

B. MAGOFFIN,  
Tos. N. MONROE, JR., Secretary of State,  
Sept. 14, 1861—w&t—3m.

Resolved by the General Assembly of the Commonwealth of Kentucky, That his Excellency, Governor Magoffin, be and he is hereby instructed to inform those concerned that Kentucky expects the Confederate or Tennessee troops to be withdrawn from her soil unconditionally.

KENTUCKY'S GOVERNOR.—The Governor has communicated to this Legislature, in three distinct messages, three distinct accounts of three invasions of Kentucky, and has expressed no indignation therat, nor yet suggested any measure whereby Kentucky could wipe the damning stain from her escutcheon. We leave comment for those who feel like it.

### From Jefferson City.

JEFFERSON CITY, Mo., Sept. 14.—A special report of the Republican says the steamer Sioux City, just arrived from above there, brings the intelligence that the fight at Booneville yesterday morning terminated in a complete victory to the Home Guards, under Major Eppespon, who held the intrenchments. The Rebels, 1,000 strong, were driven back, and were in the neighborhood of Booneville when the Sioux City passed. The Guards lost one killed and four wounded. Among the killed were Col. Brown and Capt. Brown. A small detachment of Federal troops on the Sioux City had an engagement with Green's forces at Glasgow, of half an hour's duration, when a battery of three guns opened on the boat, and they returned without loss.

### The Lexington Statesman on the Union.

"We are no Union men. We boast no loyalty to Lincoln's Government, and profess no more love for the Union of the free and slave States. We go even further, and avow that we are not a reconstructionists. There is but one Union now which commands the sympathy of our heart or the approval of our judgment, and that is A UNION OF THE SLAVE STATES."

### [For the Commonwealth. The State Penitentiary.]

#### NUMBER SEVEN.

### The Convict System—Past and Present.

The penitentiary of a State is the centre which all the rank inquiry of that State naturally converges. This makes it an interesting point for observation and for the study of blue-book literature. Within the walls of a prison are found the worst of characters in the mass of the unfortunate therein confined; and when properly conducted some of the best of men—the former as criminals bereft of their liberty, the latter as guardians and instructors, whose moral character it is supposed, have recommended them to public regard as persons to whom may be safely committed the final execution of the laws. The two extremes of society here often meet; and the student of human nature, of civilization, of the laws, and manners and customs of a people, will be able to trace from thisious consequences to their causes, punishments to their crimes, and crimes to their small beginnings in early life, not only clearly and satisfactorily, but in a way that shall open up the hidden laws of early education, the secret influences of example, and the actual condition of society, where the seeds of iniquity are sown, in every direct and philosophical manner. It is here alone that the great question can be studied of the distinct object of this mode of punishing criminals.

In the days of Howard, and even for many years later, in this country, the sole object of imprisonment seemed to be for the punishment of crime, and the more cruel and ignominious the punishment, the better it was thought to answer the great ends for which it was inflicted; the practical conclusion from it was that the severer and more certain the punishment the more sure it was to deter from crime. This was the first theory, and all of our early American prisons were conducted upon this principle.

The evils resulting from this system become apparent in the early history of our country, and in Pennsylvania were greatly modified as early as the year 1786, but in the other States did not secure the same attention from the authorities for many years afterwards. There then arose a rational theory, which began by asserting that all punishment, properly understood, was for the imprisonment of the culprit, and, consequently, all its rigors should be softened down by the spirit of unmixed love. These were the two antagonistic principles which engaged the attention of philanthropist fifty or more years ago; and it will be seen that for the first twenty-five years of the history of the Kentucky State prison, the former of these two theories had the prevailing influence, and that, after undergoing a slight change for the better, it has again sunk back to the original, if not still lower down in the scale of human degradation.

There is a third theory, however, which takes a middle position between the other two, maintaining that as there are two parties in the case, so there are two sides to be looked at; that society is to be defended against the probable repetition of unpunished crime, and that this is to be done in a manner most likely, at the same time, to benefit the criminal but unfortunate victim of the law. This third theory will be more fully discussed in the future numbers under this head.

S. S.

### Proclamation by the Governor.

In obedience to the subjoined joint resolution adopted by the General Assembly of the Commonwealth of Kentucky, the Government of the Confederate States, the State of Tennessee, and all others concerned, are hereby informed that "Kentucky expects the Confederate or Tennessee troops to be withdrawn from her soil unconditionally."

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Sept. 14, 1861—w&t—3m.

Resolved by the General Assembly of the Commonwealth of Kentucky, That his Excellency, Governor Magoffin, be and he is hereby instructed to inform those concerned that Kentucky expects the Confederate or Tennessee troops to be withdrawn from her soil unconditionally.

### ANOTHER INFAMOUS OUTRAGE AT ELIZABETHTOWN.—

We are informed that the freight train going South over the Louisville and Nashville railroad yesterday was detained beyond its usual time by Blanton Duncan, James G. Gorsuch, John D. Pope, Mitchell La Pele, Phil. Victor, and a party of sixty or seventy secessionists, who compelled the engineer and conductor to remain long enough to enable them to ship sixty guns from that point for the Southern Confederacy. The guns were the same that had been taken from this city by Capt. Gorsuch. They had been seized at Elizabethtown, it appears, by order of Maj. A. L. Symmes, and placed in the jail for safe keeping, but Duncan, Gorham, and party, broke open the jail yesterday, took possession of the arms, and shipped them to Camp Boone. The officers of the train, it is said, were coerced into measures, the outlaws who stole the guns compelling them to accede to their demands at the muzzle of the pistol.

[Lou. Jour., Sept. 16th.

“Are you in favor of war? No, but I am in favor of putting down war by force of arms. I am opposed to war, and in favor of obtaining peace by putting down the authors of the war. I am in favor of peace, and I am in favor of the only course that will insure it—driving out armed rebellion, and negotiating with loyalty.” [D. S. Dickenson.

I deplore war, but if it must come, I am with my country, and for my country, under all circumstances, and in every contingency.” Hon. Stephen A. Douglas.

### LEGISLATIVE DIRECTORY.

#### SENATORS.

J. F. Fisk (Speaker).....No. 51, Capital Hotel.  
T. T. Alexander.....Dr. II. Redman's.  
Wm. Anthony.....Mrs. Welch's.  
R. T. Baker.....No. 26, Capital Hotel.  
Samuel H. Boles.....M. B. Chinn's.  
John B. Bruner.....J. R. Page's (M. H.).  
James H. G. Bush.....J. R. Page's (M. H.).  
M. P. Buster.....Wm. H. Gray's.  
P. A. Cissell.....No. 18, Capital Hotel.  
Charles Chambers.....R. Runyan's.  
Walter Chiles.....L. B. Crutcher's.  
Alex. L. Davidson.....Dr. Vandalongham's.  
Samuel E. Dellaven.....No. 78, Capital Hotel.  
George D. Dene.....No. 50, Capital Hotel.  
Richard H. Field.....R. W. Blackburn's.  
Theo. T. Garrison.....R. W. Garrison's.  
C. Gillies.....Gen. Welch's.  
Robert E. Glenn.....R. B. Gardner's.  
John G. Goodloe.....No. 45, Capital Hotel.  
Wm. C. Grier.....Vanarsdale's (S. F.).  
Asa P. Grover.....No. 41, Capital Hotel.  
John L. Irvin.....No. 29, Capital Hotel.  
Samuel H. Jenkins.....Mrs. Major's.  
John M. Johnson.....R. C. Steele's.  
Marlin P. Marshall.....J. R. Page's (M. H.).  
Thornton F. Marshall.....No. 24, Capital Hotel.  
Henry D. McHenry.....No. 90, Capital Hotel.  
Charles D. Pennelaker.....No. 89, Capital Hotel.  
John A. Prall.....No. 56, Capital Hotel.  
William B. Read.....No. 7, Meriwether's.  
Albert G. Rheam.....No. 18, Capital Hotel.  
James Speed.....No. 15, Capital Hotel.  
Ben. Spalding.....Mrs. Welch's.  
James Speed.....J. R. Page's (M. H.).  
John H. Whittaker.....No. 72, Capital Hotel.  
Chas. T. Worthington.....Dr. Price's.  
J. H. Woodson, Clerk, at George W. Lewis'.  
J. R. Hawkins, Assistant Clerk, at H. W. Wigington's.  
Abijah Gilbert, Door-keeper, at Geo. W. Lewis'.  
John G. Campbell, Page, at his mother's.  
Samford Gains, Jr., Page, at his father's.

#### REPRESENTATIVES.

R. A. Backner (Speaker).....No. 13, Capital Hotel.  
Aldred Allen.....No. 88, Capital Hotel.  
J. W. Andersen.....I. H. Garrison's.  
R. C. Anderson.....Capital Hotel.  
W. C. Anderson.....No. 83, Capital Hotel.  
L. W. Andrews.....No. 12, Capital Hotel.  
Vincent Ashe.....Mrs. Major's.  
E. B. Bacheller.....J. H. Garrison's.  
John S. Barlow.....Dr. Vandalongham's.  
John C. Beaman.....J. R. Page's (M. H.).  
John W. Blue.....Dr. H. Rodman's.  
A. R. Bonn.....Dr. H. Rodman's.  
Wm. M. Boone.....No. 26, Capital Hotel.  
Wm. A. Brown.....R. C. Steele's.  
Curtis F. Brown.....No. 66, Capital Hotel.  
Ex. E. Burge.....Dr. Vandalongham's.  
W. P. D. Bush.....Dr. Vandalongham's.  
James Calvert.....No. 57, Capital Hotel.  
Cyrus Campbell.....J. D. Pollard's.  
J. W. Campbell.....J. R. Page's (M. H.).  
Marion N. Carr.....Dr. H. Rodman's.  
A. B. Chambers.....Mrs. Major's.  
Brutus H. Chandler.....Mrs. Welch's.  
John H. Clay.....No. 68, Capital Hotel.  
Francis L. Cleveland.....No. 24, Capital Hotel.  
J. B. Cochran.....Mrs. Lobban's.  
Robert Cochran.....Mrs. Lobban's.  
Wm. M. Conklin.....Dr. H. Rodman's.  
John C. Cooper.....Mrs. Welch's.  
Albert A. Curtis.....Mrs. Wingate's.  
Lucius Desha.....Mrs. Major's.  
Daniel E. Downing.....W. H. Gray's.  
W. H. Edmunds.....R. C. Steele's.  
John M. Elliott.....Dr. Vandalongham's.  
Stephen G. England.....Chas. Hayden's.  
George W. Ewing.....No. 18, Capital Hotel.  
Hugh F. Finley.....G. W. Lewis'.  
John W. Finner.....No. 14, Capital Hotel.  
John W. Gaines.....No. 29, Capital Hotel.  
Elijah Garber.....No. 70, Capital Hotel.  
Joseph Gardner.....Dr. Vandalongham's.  
Edm. M. Giddott.....No. 41, Capital Hotel.  
Ephraim Gibson.....No. 29, Capital Hotel.  
J. D. Gilbert.....Mrs. L. Rodman's.  
Henry Grifith.....Dr. Vandalongham's.  
John H. Harney.....No. 56, Capital Hotel.  
Wm. H. Hayes.....R. W. Blackburn's.  
Wm. J. Heady.....R. W. Blackburn's.  
Joseph W. Heeter.....W. H. Gray's.  
John M. Henry.....Chas. Hayden's.  
John B. Huston.....No. 39, Capital Hotel.  
Wm. C. Ireland.....W. H. Gray's.  
Richard T. Jacob.....No. 84, Capital Hotel.  
Daniel W. Johns.....Chas. Hayden's.  
John W. Finney.....M. B. Chinn's.  
Urban E. Kennedy.....W. H. Gray's.  
J. Q. A. King.....R. C. Steele's.  
John C. Lindsey.....M. B. Chinn's.  
M. C. Lisenby.....W. H. Gray's.  
John Ray.....Mr. Welch's.  
Joseph Ricketts.....Chas. Hayden's.  
Felix G. Murphy.....No. 10, McWhorter's.  
Thomas W. Owings.....No. 92, Capital Hotel.  
Geo. Poiaeder.....No. 67, Capital Hotel.  
Hiram S. Poole.....Geo. W. Lewis'.  
Larkin J. Preston.....H. Wingate's.  
Wm. S. Rankin.....No. 87, Capital Hotel.  
Nicholas A. Rafter.....No. 7, McWhorter's.  
John Ray.....Mr. Welch's.  
D. F. Riggs.....Chas. Hayden's.  
George S. Shanklin.....No. 82, Capital Hotel.  
Geo. W. Silvertooth.....Mrs. Montgomery's.  
G. C. Smith.....No. 74, Capital Hotel.  
M. Smith.....J. R. Page's (M. H.).  
A. R. Spalding.....Mrs. Major's.  
James P. Sparks.....Chas. Kearns'.  
Harrison Taylor.....H. Wingate's.  
Joshua Tevis.....No. 58, Capital Hotel.  
G. M. Thomas.....H. Wingate's.  
John R. Thomas.....Mrs. Welch's.  
Thomas Turner.....No. 39, Capital Hotel.  
Joseph R. Underwood.....McWhorter's.  
John S. Vaawinkle.....No. 85, Capital Hotel.  
Zeb. Ward.....No. 65, Capital Hotel.  
George B. Webster.....No. 34, Capital Hotel.  
Alex. T. White.....J. H. Garrison's.  
Nathaniel W. Wolfe.....No. 54, Capital Hotel.  
H. H. Yearman.....Mrs. Welch's.  
Bryan R. Young.....No. 9, Capital Hotel.  
Milton Young.....Mrs. Welch's.  
Van B. Young.....Mrs. Welch's.  
W. T. Samuels, Clerk, at R. W. Blackburn's.  
Jas. B. Lyne, Assistant-Clerk, at Mrs. Welch's.  
J. L. Smedley, Sergeant-at-Arms, at Dr. J. S. Price's.  
Anderson Gray, Door-keeper, R. Jilson's.  
Geo. A. Lewis, Page, at his father's.  
W. O. Bradley, Page, at W. H. Gray's.  
Frank Gray, Page, at his father's.  
Jas. L. Garrard, Page, at his father's.

#### MAIN STREET, FRANKFORT, KY.

EDGAR KEENON.....J. L. GIBBONS.  
AN ELEGANT STOCK OF STRAW GOODS,  
JUST OPENED BY  
KEENON & GIBBONS,  
DEALERS IN  
BOOKS & STATIONERY,

#### BOOKS & STATIONERY,

Hats, Caps, Straw Goods, Boots, etc.  
Shoes, Wall Paper, Carpet Bags, etc.  
UMBRELLAS, &c., &c.

#### MAIN STREET, FRANKFORT, KY.

May 22, 1861—  
LEON LAMM,  
Baltimore, Maryland.  
SAMUEL LAMM,  
Parkerburg, Virginia.

# Cephalic Pills CURE Sick Headache CURE Nervous Headache CURE All kinds of Headache.

By the use of these Pills the periodic attacks of Nervous or Sick Headache may be prevented; and if taken at the commencement of an attack, immediate relief from pain and sickness will be obtained.

They seldom fail in removing the Nausea and Headache to which females are so subject.

They not gently upon the bowels—removing Constipation.

For Literary Men, Students, Delicate Females, and all persons of sedentary habits, they are valuable as a Laxative, improving the appetite, giving tone and vigor to the digestive organs, and restoring the natural elasticity and strength of the whole system.

The CEPHALIC PILLS are the result of long investigation and carefully conducted experiments, having been in use many years, during which time they have prevented and relieved a vast amount of pain and suffering from Headache, whether originating in the nervous system or from a deranged state of the stomach.

They are entirely vegetable in their composition, and may be taken at all times with perfect safety without incurring any change of diet, and the absence of any disagreeable taste renders it easy to administer them to children.

#### BEWARE OF COUNTERFEITS.

The genuine have five signatures of Henry C. Spalding on each Box.

Sold by Druggists and other Dealers in Medicines.

A Box will be sent by mail prepaid on receipt of **PRICE, 25 CENTS.**

All orders should be addressed to

**HENRY C. SPALDING,**  
48 Cedar Street, New York.

THE FOLLOWING ENDORSEMENTS OF

**Spalding's Cephalic Pills.**  
Will Convince all who suffer from

**HEADACHE,**  
That a Speedy and Sure Cure is with them.

At these Testimonials were unswayed by Mr. Spalding, they afford unquestionable proof of the efficacy of this truly scientific discovery.

\* MASONVILLE, Conn., Feb. 1, 1861.  
Mr. Spalding: Sir—I have tried your Cephalic Pills, and like them so well that I want you to send me some two dollars' worth more.

Part of these are for the neighbors, to whom I gave a few out of the first box I got from you.

Send the Pills by mail, and oblige.

Your obt servant,

**JAMES KENNEDY.**

HARRISON, Pa., Feb. 6, 1861.  
Mr. Spalding: Sir—I wish you to send me one more box of your Cephalic Pills, I have received a great deal of benefit from them.

Yours, respectively,

**MARY ANN STOIKHOUSE.**

ERICK CREEK, HUNTINGTON CO., Pa.,

January 18, 1861.

H. C. Spalding: Sir—You will please send me two boxes of your Cephalic Pills. Send them immediately. Respectfully yours,

**JOHN B. SIMONS.**

P. S.—I have used one box of your Pills, and find them excellent.

BELLE VERNON, Ohio, Jan. 15, 1861.  
Henry C. Spalding, Esq.: Please find inclosed twenty-five cents, for which send me another box of your Cephalic Pills. They are truly the best Pills I have ever tried.

Direct:

**A. STOVER, P. M.,**  
Bell Vernon, Wyandot Co., O.

BEVERLY, Mass., Dec. 11, 1860.  
H. C. Spalding: Sir—I wish you to send me large sum bills, to bring your Cephalic Pills more particularly before my customers. If you have anything of the kind, please send to me.

One of my customers who is subject to severe Sick Headache (usually in the two days), was cured of an attack in our hour by your Pills, which I sent her. Respectfully yours,

**W. B. WILKES.**

REYNOLDSBURG, FRANKLIN CO., Ohio, Jan. 15, 1861.

Henry C. Spalding, No. 48 Cedar St., N. Y.: Dear Sir—Enclosed find twenty-five cents (25¢), for which send box of "Cephalic Pills." Send to address of Rev. William C. Fuller, Reynoldsburg, Franklin County, Ohio.

Your Pills work like a charm—cure Headache almost instantaneously.

Truly yours,

**W. M. C. FULLER.**

YPSILANTI, Mich., Jan. 14, 1861.  
Mr. Spalding: Sir—Not long since I sent to you for a box of Cephalic Pills for the cure of the Nervous Headache and Costiveness, and received the same, and they had so good an effect that I was induced to send more.

Please send by return mail. Direct to

**A. R. WHEELER,** Ypsilanti, Mich.

From the Advertiser, Providence, R. I.

The Cephalic Pills are said to be a remarkably effective remedy for the headache, and one of the very best for that very frequent complaint which has ever been discovered.

\* A single bottle of Spalding's PREPARED GLUE will save ten times its cost annually.

SPALDING'S PREPARED GLUE!

SPALDING'S PREPARED GLUE!

SPALDING'S PREPARED GLUE!

SAVE THE PIECES!

ECONOMY! ECONOMY! DISPATCH!

"A STITCH IN TIME SAVES NINE."

\* As new sets will happen, even in well regulated families, it is very desirable to have some cheap and convenient way for repairing Furniture, Toys, Crockery, &c.

SPALDING'S PREPARED GLUE meets all such emergencies, and no household can afford to be without it. It is always ready, and up to the sticking point.

"USEFUL IN EVERY HOUSE."

N. B.—A Brush accompanies each Bottlo. Price, 25 cents.

Address:

**HENRY C. SPALDING,**  
No. 48 Cedar street, New York.

CAUTION.

\* A certain unprincipled persons are attempting to gain on the unsuspecting public by imitations of my Prepared Glue. I would caution all persons to examine before purchasing, and see that the full name is on the label.

SPALDING'S PREPARED GLUE is on the outside wrapper; all others are swindling counterfeits.

DO YOU WANT WHISKERS?  
DO YOU WANT WHISKERS?  
DO YOU WANT A MUSTACHE?  
DO YOU WANT A MUSTACHE?

Bellingham's celebrated Stimulating Onguent for the Whiskers and Hair.

The subscribers take pleasure in announcing to the citizens of the United States, that they have obtained the Agency for, and are now enabled to offer to the American public, the above justly celebrated and world-renowned article.

THE STIMULATING ONGUENT, is prepared by Dr. C. P. Bellingham, an eminent physician of London, and warranted to bring out a thick set of whiskers.

WHISKERS OR A MUSTACHE in from three to six weeks. This article is the only one of the kind used by the French, and in London and Paris it is in universal use.

It is a beautiful, economical, soothing, yet stimulating compound, acting as if by magic upon the roots, causing a beautiful growth of luxuriant hair. It applied to the scalp, it will cure baldness and cause to spring up in place of the bald spots a fine growth of new hair. Applied according to directions, it will turn red or tawny hair dark, and restore gray hair to its original color, leaving it soft, smooth, and flexible. The "Onguent" is an indispensable article in every gentleman's toilet, and after one week's use they would not for any consideration be without it.

The subscribers are the only Agents for the article in the United States, to whom all orders must be addressed.

Price One Dollar a box—for sale by all Druggists' and Dealers; or a box of the "Onguent" (warranted to have the desired effect) will be sent to any who desire it, by mail (direct), securely packed, on receipt of price and postage, \$1.00. Apply to or address:

**HORACE L. HEGEMAN & CO.,**  
DRUGGISTS, &c.,  
21 William St., New York.  
Feb 22-6m.

#### LOOK AT THIS!

**M. L. PIERSON,**  
MANUFACTURER AND DEALER IN  
CHOICE CONFECTIONERIES.

St. Clair Street, Frankfort, Ky.,  
(At the old stand of T. P. Pierson.)

THANKFUL for the very liberal patronage I have received since the above establishment was opened, I have to say that exertion on my part shall be wanting to supply the increasing demand for Cakes, Candies, Pyramids, Ice Cream, etc., on the shortest notice and most reasonable terms.

\* \* \* I am also agent for Clark's Revolving Louper Sewing Machines—one of the best and cheapest machines now in use. Price \$38; Item, \$10 extra.

\* \* \* ICE! ICE! ICE!—The greatest accommodation yet—can be had at my Confectionery at any time from 5 o'clock, A. M., until 9 o'clock, P. M.

Aug. 31, 1860—T. P. Pierson, Agent.

## Kentucky Central Railroad!

THE only direct route from the interior of Kentucky to New York, Boston, and all other Eastern Cities and Towns. Decidedly the most comfortable and reliable route for passengers going South, West, or Northwest.

CLOSE CONNECTIONS

Being made via Cincinnati with the 7:50 p. m. Express train via the Ohio and Mississippi Railroad, to Cairo, St. Louis, New Orleans, Kansas City, St. Louis, Pike's Peak, and all Western Towns, and with the 7:35 p. m. Train, via the Indianapolis and Cincinnati, and Cincinnati, Hamilton, and Dayton Railroads to Chicago, St. Paul, Detroit, Galena, Springfield, Toledo, Milwaukee, Lafayette, Indianapolis, and all other Northwestern Cities and Towns.

But one change of ears from Lexington and Nicholasville to St. Louis and Chicago, in daylight; whereas by any other route two changes are made, both after night!

\* \* \* Passengers can now leave Danville, Harrodsburg, Richmond, Lancaster, Mt. Sterling, or Winchester, in the morning, and arrive in St. Louis or Chicago in time for breakfast next morning.

TWO PASSENGER TRAINS

Leave Nicholasville daily (Sundays excepted), at 8:00 A. M., and 1:10 P. M., and Lexington at 6:00 A. M., and 1:50 P. M., and arrive at Covington at 11:00 A. M., and 2:27 P. M.

\* \* \* Through Tickets can be had at the Kentucky Stage Offices in Danville, Bryantsville, Winchester, Mt. Sterling, and Richmond, and at the Office of the Kentucky Central Railroad in Nicholasville, Lexington, Paris, and Cynthiana.

Jan 26, 1860—T. P. Pierson, Agent.

**NEW ALBANY AND SALEM RAILROAD.**

Short Line Route to the North & West.

THROUGH TO CHICAGO IN 15 HOURS.  
THROUGH TO ST. LOUIS IN 14 HOURS.  
THROUGH TO CAIRO IN 20 HOURS.

Connections made with all Western Roads for any part of  
ILLINOIS, MICHIGAN, WISCONSIN, IOWA,  
MISSOURI, KANSAS, &c., &c.

Fare as Low as by any other Railroad or Steam Boat Route.

Freight destined for places in any of the above Roads forwarded with despatch and at low rates. Mark east E. O. Norton, Louisville.

\* \* \* All through tickets and rates of freight apply at "SHORT LINE," Railroad office 555, Main street, Louisville, Ky.

Aug. 31, 1860—T. P. Pierson, Agent.

**JOHN W. VOORHIS,**

**Merchant Tailor,**  
SOUTH SIDE MAIN STREET,  
Opposite Gray & Todd's Grocery Store,  
FRANKFORT, KY.,

Has just received his large and extensive stock of

FALL AND WINTER GOODS,  
Consisting of Cloths, Cisimines, and Vestings, of the best quality, and of the last styles and patterns. He also has on hand a large assortment of GENTLEMEN'S FURNISHING GOODS,

And everything necessary for furnishing a gentleman's entire wardrobe.

\* \* \* All work warranted to be as well done, and in as good style, as at any other establishment in the Western country.

No Fit or Safe Trade.

Frankfort, Oct. 5, 1860—T. P. Pierson, Agent.

**COAL AND LUMBER YARD.**

THE undersigned would inform the citizens of Frankfort and the surrounding country, that we will keep constantly on hand Youghiogheny, Kentucky River, Powderay and Cannon Coal, which will sell at the lowest market price, either by the quantity or car load.

He also keeps all kinds of LUMBER, which he will sell on accounting terms.

\* \* \* His Coal and Lumber Yard is on the Kentucky River, immediately below the Railroad Bridge, being the same formerly occupied by Todd & Crittenden. JOHN C. BATES.

September 3, 1860—T. P. Pierson, Agent.

**STRAYED OR STOLEN.**

About the 6th instant, a light gray HORSE, shod all round, 15½ hands high, a star in his forehead and snap on the nose; one hind foot white; 8 or 9 years old. He may have light harness marks, as he works in my carriage.

**ONE HUNDRED DOLLARS REWARD**

Will be paid upon conviction of the thief and return of the horse, if stolen; or a generous reward if he should have strayed.

Frankfort, Dec 12, 1860—A. W. DUDLEY.

**Samuel's New Establishment!**

**NEW REMEDIES FOR SPERMATORRHOEA.**

OWARD ASSOCIATION, PHILADELPHIA, A General Institution established by subscription, for the relief of the Sick and Distressed, afflicted with Thirst and Chronic Diseases, and especially for the cure of diseases of the Sexual Organs.

\* \* \* MEDICAL ADVICE given gratis, by the Acting Surgeon.

VALUABLE REPORTS on Spermatorrhoea, and other diseases of the Sexual Organs, and on the NEW REMEDIES employed in the Dispensary, in sealed letter envelopes, free of charge. Two or three Stamps for postage will be acceptable.

Address Dr. J. SKILLIN DOUGHTON,  
Howard Association, No. 2, S. Ninth St.,  
July 26, 1860—T. P. Pierson, Agent.

**JOHN'S NEW ESTABLISHMENT!**

HENRY SAMUEL BARBER AND HAIR DRESSER, is preparing to open his shop in his old and commodious rooms, and readily to attend to all who may give him a call. His new establishment is in the building of Col. H. Hodges, on St. Clair street. He solicits public patronage and hopes that his old friends and customers, especially who patronized him before the fire, will now find their way back to his shop.

March 12, 1853—T. P. Pierson, Agent.

**LOOK AT THIS!**

**J. L. MOORE & SON,**  
ARE RECEIVING THEIR

**FALL & WINTER GOODS!**

September 3, 1860—T. P. Pier